

“Date”

Mr. L.J. Brady
206 Court St.
Luling, LA 70070

RE: Docket No. 2020-586

Dear Mr. Brady:

The Louisiana Board of Ethics, at its November 6, 2020 meeting, considered your request for an advisory opinion as to whether you could provide consulting services following your retirement as the Assistant Director of Wastewater for St. Charles Parish.

FACTS PROVIDED

You stated that you recently retired as the Assistant Director of Wastewater with St. Charles Parish on July 18, 2020. You stated that one of your duties was to run the Wastewater Department for the parish. You stated that you have been approached by BLD Services and Meyers Engineering to provide consulting work. You stated that it would be possible that you would be working on parish projects that you worked on while with the parish.

LAW

La. R.S. 42:1121A prohibits a former agency head, for a period of two years following the termination of his public service as the head of such agency, from assisting another person, for compensation, in a transaction, or in an appearance in connection with a transaction, involving that agency or render any service on a contractual basis to or for such agency.

La. R.S. 42:1102(3) defines “agency head” to mean the chief executive or administrative officer of an agency.

La. R.S. 42:1102(2)(a)(vi) defines “agency of the public servant” for public servants of political subdivision, to mean the agency in which the public servant serves.

La. R.S. 42:1102(23) defines “transaction involving the governmental entity” to mean any proceeding, application, submission, request for ruling or other determination, contract, claim, case, or other such particular matter which the public servant or former public servant of the governmental entity in question knows or should know is or will be the subject of action by the governmental entity, is one to which the governmental entity is or will be a party, or is one in which the governmental entity has a direct interest.

CONCLUSION

The Board concluded and instructed me to inform you, the Code of Governmental Ethics (Ethics Code) would prohibit you from providing consulting work to BLD Services or Meyers Engineering on projects that involve the St. Charles Parish Wastewater Department. Because you stated that your duty was to run the St. Charles Parish Wastewater Department you are an “agency head” for the Wastewater Department. For this reason, you are prohibited for two years from July 18, 2020 from

assisting another person, which include a business entity, in a transaction involving the St. Charles Parish Wastewater Department, whereby you would be compensated for your services.

The Board did want to inform you that the Ethics Code would not prohibit you from assisting another person for compensation if the projects were not associated with the St. Charles Parish Wastewater Department.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Gregory L. Thibodeaux
For the Board

DISCLAIMER
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics.
No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.